

Patents' Benefit to Inventor, University, and Society Stressed In Seminar Series

The December 1974 *Chronicle* introduced to the University graduate community the experimental "patent awareness programs" currently underway at eight universities in the country, including the University of Maryland. Operating on the basic assumptions that more inventions can arise from university research than are currently being patented and that these inventions can be put to practical use, Research Corporation, through a three year, \$198,700 grant from the National Science Foundation, is conducting the four phase program, which includes a review of ongoing institutional research, a seminar series designed to educate university staff about patent procedures, a program of continuing support through monthly visits to the campuses by patent associates employed by Research Corporation, and a report of results at the program's conclusion.

Other participating institutions hosting teams from Research Corporation are the Polytechnic Institute of New York, Princeton University, the University of Michigan, the University of Washington, the University of Georgia, Case Western Reserve University, and Virginia Polytechnic Institute and State University.

The program aims at an earlier and more widespread identification of inventive concepts, which will guard against the possibility that important discoveries will be lost to the public, shorten the time between early observations and practical embodiments of innovative concepts, and increase the

practical productivity of federal funds devoted to research. Currently over two billion dollars a year in federal funds are going into support of the university research endeavor. The academicians' increased awareness of proper patenting procedures might result in profits of more immediate social consequence from such an enormous investment.

A patent is a grant by a government to an inventor giving him the right to exclude others from making, using or selling his invention for a definite time period. In the United States, the grant is given in exchange for a full disclosure of a new, useful, and nonobvious invention.

A misconception prevalent in academic circles is that patenting precludes publishing and vice versa. This notion is not true; patenting and publishing need not be mutually exclusive if the proper time sequence is followed. If the patent application is filed before the submission of a manuscript for publication, the inventor derives full benefits from both actions.

Publishing without simultaneous patenting means that the right to patent is lost in a short time, six months for West German and Japanese patents and one year for patents in the United States. At this point, the invention, through publication, becomes part of the public domain, and the absence of a preferred market position may deter a commercial firm from risking capital when development costs are high.

Dr. Robert M. Williams of Research Corporation points out that in many

cases, there is an extremely high risk and high cost in taking a product idea and "getting it to market." There is often serious conflict between innovation and public safety, and the inventor often has insufficient funds to carry through necessary testing and experimentation to ensure acceptability for public use. "The function of the patent," says Williams, "is to equilibrate the conflict between public safety and innovation . . . to reward the innovator."

Patenting provides incentives to industry to develop; gives the public new products and processes not otherwise available; may provide financial return to the inventor; allows for the retention of control by the patentee to prevent abuse; disseminates knowledge; and stimulates and supports further research by others.

In mid-March, four patent associates from Research Corporation spent two weeks at the University giving seminars to groups of faculty and students in areas of research which have high invention potential. Dr. Abraham Bavley, Mr. Robert Goldsmith, Mr. Bernard Kosloski, and Dr. Williams will return to the campuses periodically to follow through on the third phase of the program.

Unfortunately, the attendance at seminars at the University of Maryland was not as great as had been originally hoped for, despite considerable advance notice given in various campus publications. In several instances, only two or three department members were present for the departmental seminar presentations. Fairly heavy turnouts were recorded at seminars for the Departments of Chemical Engineering (12), Electrical Engineering (17) and Physics and Astronomy (17) at College Park. At Baltimore, twenty-five faculty members and students attended the seminar for the School of Pharmacy; Dr. Bavley notes that this was "a mag-

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